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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**
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11 LYDIA CAUDILL,

12 Plaintiff,

13 vs.

14 UNITED STATES MARINES CORPS
15 DEPOT EXCHANGE,

16 Defendant.

CASE NO. 06CV1063 IEG (BLM)

**ORDER (1) DIRECTING CLERK'S
OFFICE TO ISSUE SUMMONS, (2)
DIRECTING UNITED STATES
MARSHALL TO SERVE
DEFENDANT, AND (3)
VACATING RULE 4(m) HEARING**

17 Previously, the Court granted Lydia Caudill's ("plaintiff") application to proceed in forma
18 pauperis. [Doc. No. 3.] The Clerk's Office shall issue the summons and shall provide plaintiff
19 with the summons and an IFP packet.

20 The United States Marshal shall serve a copy of the complaint and summons upon
21 defendant as directed by plaintiff on U.S. Marshal Form 285. All costs of service shall be
22 advanced by the United States. Defendant shall reply to the complaint within the time provided by
23 the applicable provisions of Fed. R. Civ. P. 12(a).

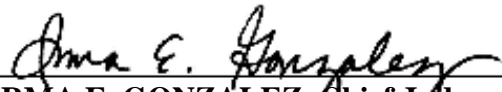
24 Plaintiff shall serve upon defendant or, if appearance has been entered by counsel, upon
25 defendant's counsel, a copy of every further pleading or other document submitted for
26 consideration of the Court. Plaintiff shall include with the original paper to be filed with the Clerk
27 of the Court a certificate stating the manner in which a true and correct copy of any document was
28 served on the defendant or defendant's counsel, and the date of service. Any paper received by a

1 district judge or magistrate judge which has not been filed with the Clerk or which fails to include
2 a Certificate of Service will be disregarded.

3 The Court hereby **VACATES** the Order to Show Cause Hearing for dismissal pursuant to
4 Federal Rule of Civil Procedure 4(m) previously set for Tuesday, February 20, 2007 at 10:30 a.m.

5 **IT IS SO ORDERED.**

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7 **DATED: February 14, 2007**

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10 **IRMA E. GONZALEZ, Chief Judge**
11 **United States District Court**
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